

1980 or thereafter, by any person or nation, intended to delay the release of the American held as Hostages by Iran, and any approval, acquiescence or knowledge of such sales or transmittals by the 1980 Reagan Presidential Campaign or persons representing or associated with that campaign; and

(e) Any actions taken to keep any communications or actions as described above, if any such communications or actions took place, from being revealed to the Government of the United States or the American people.

(2) One-third of the members of the Task Force shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the Task Force to be actually present, except that the Task Force may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony. When a quorum for any particular purpose is present, general proxies may be counted for that purpose. The Task Force may sit while the House is reading a measure for amendment under the five-minute rule. The rules of the House shall govern the Task Force where not inconsistent with this resolution. The Task Force shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the rules of the House. Such rules may govern the conduct of the depositions, interviews, and hearings of the Task Force, including the persons present. Such rules shall provide for the protection of classified information from unauthorized disclosure.

(3) The Task Force is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, or has adjourned; to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials, campaign materials, materials of present and former government officials and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance; and to obtain evidence in other appropriate countries with the cooperation of their governments and by letters rogatory, commissions, field depositions and other appropriate mechanisms. Unless otherwise determined by the Task Force the chairman, upon consultation with the ranking Republican member, on the Task Force, shall authorize and issue subpoenas. Subpoenas shall be issued under the seal of the House and attested by the Clerk, and may be served by any person designated by the chairman or any member. The Task Force may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

(4) The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the Task Force. All meetings and hearings of the Task Force shall be conducted in open session, unless a majority of members of the Task Force voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(5) The Chairman, upon consultation with the ranking Republican member, may employ and fix the compensation of such clerks,

experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purposes of this resolution. The Task Force shall be deemed a committee of the House for all purposes of law, including House Rule XI (2)(n), and sections 6005, 1505, and 1621 of title 18, section 192 of title 2, 1754(b)(1)(B)(ii) of title 22, and section 734(a) of title 31, United States Code. The Task Force may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Task Force, other than expenses in connection with meetings of the Task Force held in the District of Columbia.

(6) Unless otherwise determined by the Task Force the chairman, upon consultation with the ranking Republican member, or the Task Force, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a Member or by designated staff, under oath administered by a Member or a person otherwise authorized by law to administer oaths. Disposition and affidavit testimony shall be deemed to have been taken in Washington, DC, before the Task Force once filed there with the clerk of the Task Force for the Task Force's use. Depositions shall be deemed to be taken in Executive Session.

(7) The Task Force shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

(8) The Task Force shall provide other committees and Members of the House with access to information and proceedings, consistent with rule XLVIII(7)(c): Provided, That the Task Force may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Task Force may require its staff to enter nondisclosure agreements and its chairman, in consultation with the ranking Republican member, may require others, such as counsel for witnesses, to do so: Provided further, That the Task Force shall, as appropriate, provide access to information and proceedings to the Speaker, the Majority Leader, the Republican Leader, and their appropriately cleared and designated staff.

(9) Authorized expenses of the Task Force for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, shall be paid from the contingent fund of the House upon vouchers signed by the chairman and approved by the Chairman of the Committee on House Administration.

(10) By July 1, 1992, the Task Force shall report to the House the status of its investigation. With respect to this and any other report of the Task Force, including its final report, the report shall be accompanied by supplemental or additional minority views.

(11) At the conclusion of the existence of the Task Force all records of the Task Force shall become the records of the Committee on Foreign Affairs except for those records relating to intelligence matters which shall, upon the Task Force's designation, become the records of the House Permanent Select Committee on Intelligence.

Pursuant to House Resolution 303, the amendment recommended by the Committee on Rules, as modified by the amendment recommended by the Committee on House Administration was considered as adopted.

Pending consideration of said resolution,

9.19 POINT OF ORDER

Mr. MCEWEN made a point of order against the resolution, and said:

"Mr. Speaker, House rule XI, clause 5(a) provides that whenever a committee, commission or other entity is to be granted authorization for the payment from the contingent fund of the House of its expenses in any year, 'such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity.'

"The rule goes on to require that 'any such primary expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution' shall 'state the total amount of the funds to be provided to the committee, commission or other entity under the primary expense resolution for all anticipated activities and programs * * *.'

"Mr. Speaker, it is my assumption that this resolution, which was reported by the House Administration and authorizes the payment of expenses from the contingent fund, is the primary expense resolution for the task force. And yet the committee report on this resolution, House Report 102-296, part II, does not 'state the total amount of funds to be provided' as required by rule XI, clause 5(a).

"If, on the other hand, it is argued that House Resolution 258 is not a primary expense resolution, then it is not in order since House rule XI, clause 5(a) requires that whenever any entity such as this task force is to be granted authorization for the payment of expenses from the contingent fund, and I quote, 'such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity.' In other words, this resolution is not in order until after a primary expense resolution has been adopted by this House."

Mr. DERRICK was recognized to speak to the point of order and said:

"Mr. Speaker, under clause 5(c), the funds will be provided to the Committee on Foreign Affairs and they will, in turn, provide the funds to the subcommittee, I mean to the committee that we are establishing."

The SPEAKER pro tempore, Mr. OBEY, overruled the point of order, and said:

"The gentleman from Ohio, in a point of order, suggests to the House that under rule XI, clause 5(a), there needs to be a total amount stated in the report of the Committee on House Administration for funding of the task force, and the Chair would simply point out that the primary expense resolution for the Committee on Foreign Affairs and all other committees will be reported to the House later this year.

"As the gentleman from South Carolina has attempted to point out to the House, clause 5(c) of rule XI reads as follows:

"The preceding provisions of this clause do not apply to—

'(1) any resolution providing for the payment from the contingent fund of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, any committee, commission or other entity at any time from and after the beginning of any year and before the date of adoption by the House of the primary expense resolution providing funds to pay the expenses of that committee, commission or other entity for that year;

"It is the ruling of the Chair at this time that the task force comes under that exception. The task force is a subunit of the Committee on Foreign Affairs and not a separate entity.

"The point of order is, therefore, overruled."

Mr. WALKER appealed the ruling of the Chair.

Mr. DERRICK moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. OBEY, announced that the yeas had it.

On a division demanded by Mr. WALKER, there appeared, yeas—19, nays—21.

Mr. DERRICK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 227
Nays 150

¶9.20

[Roll No. 11]

YEAS—227

Abercrombie	de la Garza	Huckaby
Ackerman	DeLauro	Hughes
Alexander	Dellums	Jefferson
Anderson	Derrick	Johnston
Andrews (ME)	Dicks	Jones (NC)
Andrews (NJ)	Dixon	Jontz
Andrews (TX)	Donnelly	Kanjorski
Annuzio	Dooley	Kaptur
Anthony	Dorgan (ND)	Kennedy
Applegate	Durbin	Kennelly
Aspin	Dwyer	Kildee
Atkins	Early	Klecza
AuCoin	Edwards (TX)	Kopetski
Bacchus	Engel	Kostmayer
Barnard	English	LaFalce
Beilenson	Erdreich	LaRocco
Bennett	Espy	Laughlin
Berman	Evans	Lehman (CA)
Bevill	Fascell	Lehman (FL)
Bilbray	Fazio	Levin (MI)
Blackwell	Feighan	Lewis (GA)
Bonior	Flake	Lipinski
Borski	Ford (MI)	Lloyd
Boucher	Ford (TN)	Long
Boxer	Frank (MA)	Lowey (NY)
Brewster	Frost	Luken
Brooks	Gejdenson	Manton
Browder	Gephardt	Markey
Brown	Geren	Martinez
Bruce	Gibbons	Matsui
Bryant	Glickman	Mavroules
Bustamante	Gonzalez	Mazzoli
Byron	Gordon	McCurdy
Campbell (CO)	Guarini	McDermott
Cardin	Hall (OH)	McHugh
Carper	Hall (TX)	McNulty
Carr	Hamilton	Mfume
Clement	Harris	Mineta
Collins (IL)	Hatcher	Mink
Collins (MI)	Hayes (IL)	Moakley
Condit	Hayes (LA)	Mollohan
Cooper	Hefner	Montgomery
Costello	Hoagland	Moody
Cox (IL)	Hochbrueckner	Moran
Coyne	Horn	Murphy
Cramer	Hoyer	Murtha
Darden	Hubbard	Nagle

Natcher	Rangel
Neal (MA)	Ray
Neal (NC)	Reed
Nowak	Richardson
Oakar	Roe
Obey	Roemer
Olin	Rose
Olver	Rostenkowski
Ortiz	Rowland
Orton	Roybal
Owens (NY)	Sanders
Pallone	Sangmeister
Panetta	Sarpalius
Parker	Savage
Pastor	Sawyer
Patterson	Scheuer
Payne (NJ)	Schroeder
Payne (VA)	Schumer
Pease	Serrano
Pelosi	Sikorski
Penny	Sisisky
Perkins	Skaggs
Peterson (FL)	Skelton
Peterson (MN)	Slattery
Pickett	Slaughter
Pickle	Smith (FL)
Poshard	Solarz
Price	Spratt
Rahall	Stallings

NAYS—150

Allard	Gradison	Nussle
Allen	Grandy	Packard
Archer	Green	Paxon
Armey	Gunderson	Petri
Baker	Hammerschmidt	Porter
Ballenger	Hancock	Quillen
Barrett	Hansen	Ramstad
Barton	Hastert	Ravenel
Bateman	Hefley	Regula
Bentley	Henry	Rhodes
Bereuter	Herger	Ridge
Bilirakis	Hobson	Riggs
Bliley	Holloway	Rinaldo
Boehlert	Hopkins	Roberts
Boehner	Horton	Rohrabacher
Broomfield	Houghton	Ros-Lehtinen
Burton	Hunter	Roth
Callahan	Hyde	Roukema
Camp	Inhofe	Santorum
Campbell (CA)	James	Saxton
Chandler	Johnson (CT)	Schaefer
Clinger	Kasich	Schiff
Coble	Klug	Sensenbrenner
Combust	Kolbe	Shays
Coughlin	Kyl	Shuster
Cox (CA)	Lagomarsino	Skeen
Crane	Leach	Smith (NJ)
Cunningham	Lewis (CA)	Smith (OR)
DeLay	Lewis (FL)	Smith (TX)
Dickinson	Livingston	Snowe
Doolittle	Lowery (CA)	Solomon
Dornan (CA)	Machtley	Spence
Dreier	Marlenee	Stearns
Duncan	Martin	Stump
Edwards (OK)	McCandless	Sundquist
Emerson	McCollum	Taylor (NC)
Ewing	McCrery	Thomas (WY)
Fawell	McDade	Upton
Fields	McEwen	Vander Jagt
Fish	McGrath	Vucanovich
Franks (CT)	McMillan (NC)	Walker
Galleghy	Meyers	Walsh
Gallo	Michel	Weber
Gekas	Miller (OH)	Weldon
Gilchrest	Miller (WA)	Wolf
Gillmor	Molinari	Wylie
Gilman	Moorhead	Young (AK)
Gingrich	Morella	Young (FL)
Goodling	Myers	Zeliff
Goss	Nichols	Zimmer

NOT VOTING—57

Hutto	Mrazek
Ireland	Oberstar
Jacobs	Owens (UT)
Jenkins	Oxley
Johnson (SD)	Pursell
Johnson (TX)	Ritter
Jones (GA)	Rogers
Kolter	Russo
Lancaster	Sabo
Lantos	Schulze
Lent	Sharp
Levine (CA)	Shaw
Lightfoot	Smith (IA)
McCloskey	Staggers
McMillen (MD)	Stark
Miller (CA)	Swett
Morrison	Synar

Thomas (CA)	Torres	Valentine
Thomas (GA)	Towns	Whitten

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

After debate,

Mr. MICHEL submitted the following amendment in the nature of a substitute:

Strike all after the resolving clause and insert in lieu thereof the following:

That there is hereby established in the House of Representatives a Task Force of members of the Committee on Foreign Affairs to investigate certain allegations concerning the holding of Americans as hostages by Iran in 1980 (hereinafter referred to as the "task force").

FUNCTIONS

SEC. 2. The task force is authorized and directed to conduct a full and complete investigation of—

(a) Any attempt, or proposal to attempt, by the 1980 presidential campaign of then Governor Reagan, and/or the 1980 presidential campaign of then President Carter, or persons representing or associated with those campaigns, or the United States Government, to affect the timing of the release of the Americans held as hostages in Iran;

(b) Any attempt by then President Carter, or his Administration, to affect the timing of the release of the Americans held as hostages in Iran;

(c) Any actions taken to keep any attempt, or proposal to attempt, to affect the timing of the release of the Americans held as hostages in Iran, as described in (a) or (b) above, if any such attempts or proposed attempts took place, from being revealed to the Government of the United States or to the American people.

APPOINTMENT AND MEMBERSHIP

SEC. 3. (a) The task force shall be composed of 13 Members of the House who shall be appointed by the Speaker from the membership of the Committee on Foreign Affairs, one of whom he shall designate as chairman, and the minority members of which shall be appointed upon the recommendation of the minority leader.

(b) Any vacancy occurring in the membership of the task force shall be filled in the same manner in which the original appointment was made.

AUTHORITY AND PROCEDURES

SEC. 4. (a) For purposes of carrying out this resolution the task force is authorized to sit and act during the present Congress at such times and places within the United States, including any commonwealth or possession thereof, or in any other country, whether the House is in session (including while the House is sitting for amendment under the five-minute rule), has recessed, or has adjourned, and to hold hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives, shall apply to the task force, except that—

(1) no vote by any member of the task force may be cast by proxy; and

(2) the task force shall not delegate to the chairman the power to authorize subpoenas.

(c)(1) the chairman, upon consultation with the ranking minority members, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a Member or by designated staff, under oath administered by a Member, there being at least two members of the task force